

3:21cv1474

# EXHIBIT B

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY  
PENNSYLVANIA

CIVIL DIVISION

\* \* \* \* \* No. 08-02157

LUCILLE FREEMAN

VS.

JONATHAN ROBINS

\* \* \* \* \*

Media, PA, December 31, 2008

\*\*\*

Courtroom Number C

\*\*\*

TRANSCRIPT OF PROCEEDINGS

BEFORE: THE HONORABLE MASTER PATRICIA DONNELLY

MARY TULL, ESQUIRE  
For the Plaintiff

PRO SE  
For the Defendant

793110356

FILED  
JUL 11 2009  
793110356  
DELAWARE COUNTY, PA.  
PM 2:11

Diaz Data Services

331 Schuylkill Street, Harrisburg, PA 17110 ~ 717-233-6664

INDEX

DIRECT CROSS REDIRECT RECROSS

ON BEHALF OF THE PLAINTIFF:

[none]

ON BEHALF OF THE DEFENDANT:

[none]

EXHIBITS

MARKED ADMITTED

ON BEHALF OF THE PLAINTIFF:

[none]

ON BEHALF OF THE DEFENDANT:

[none]

Diaz Data Services

331 Schuylkill Street, Harrisburg, PA 17110 ~ 717-233-6664

P R O C E E D I N G S

December 31, 2008

MS. TULL:

Case 15, Lucille Freeman vs. Johnathan Robins. Plaintiff's grandmother, she's not here. She has no interest in this case. Defendant, sir, go to the side of the courtroom. State your name to identify your voice for the record.

MR. ROBINS:

My name is Johnathan Robins.

MS. TULL:

I couldn't run guidelines because the Defendant told me he was an independent contractor. He wouldn't tell me what he did. He wouldn't tell me what he made. So I couldn't run guidelines.

THE COURT:

What do you do?

MR. ROBINS:

I do all kinds of work. The reason why, right, I really wanted to come to Court is that I'm pissed off because I take care of the child half the time and I, like I told her outside in the hallway, I haven't had the

Diaz Data Services

331 Schuylkill Street, Harrisburg, PA 17110 ~ 717-233-6664

1 time, I don't have a lot of time to work. And  
2 what I don't understand is why my son on  
3 welfare. Why does the grandmother -- you  
4 know, I filed -- recently I filed for full  
5 custody and so in February we're going to get  
6 all this straightened out and custody in  
7 Philadelphia Court. So I'm pissed off that  
8 the mother -- because I...

9 THE COURT:

10 Well, you're in a Court of law. I'll caution  
11 you to watch your language.

12 MR. ROBINS:

13 Oh, I'm sorry. I'm sorry. I didn't -- yeah,  
14 correct.

15 MS. TULL:

16 It's a ten month old child. How old is the  
17 mother of the child?

18 MR. ROBINS:

19 Well, the mother is my wife.

20 MS. TULL:

21 How old is she?

22 MR. ROBINS:

23 She's 16.

24 MS. TULL:

25 How old is she?

1 MR. ROBINS:

2 16.

3 MS. TULL:

4 16. That's why the grandmother is on -- has a  
5 welfare grant for the child.

6 MR. ROBINS:

7 But if they're -- but if we're married -- and  
8 I'll give you the paperwork now.

9 MS. TULL:

10 And...

11 THE COURT:

12 How old are you?

13 MR. ROBINS:

14 That's a good question. 40 what...

15 MS. TULL:

16 Sounds like a crime to me.

17 THE COURT:

18 40 what?

19 MR. ROBINS:

20 Like 43.

21 THE COURT:

22 You're 43 and the mother..

23 MR. ROBINS:

24 Yes, I am.

25 THE COURT:

1                   ...of the child is 16?

2           MR. ROBINS:

3                   Here is...

4           THE COURT:

5                   Have you been arrested?

6           MR. ROBINS:

7                   No.

8           THE COURT:

9                   This child's ten months old?

10          MS. TULL:

11                   Ten months old.

12          THE COURT:

13                   So this girl was 14 when she got pregnant?

14          MS. TULL:

15                   Or 15, you know, 14 or 15.

16          COURT CLERK:

17                   I gave it to her, the paystub.

18          MS. TULL:

19                   The paystub, yeah.

20          COURT CLERK:

21                   Oh, yeah it's right here.

22          MS. TULL:

23                   I had it for Plaintiff and for him.

24          COURT CLERK:

25                   His wasn't attached to it, that's why I didn't

1 see it.

2 MS. TULL:

3 Been on welfare from September 16, '08 with  
4 grand mom.

5 THE COURT:

6 Johnathan Robins of Orlando, Florida and Erika  
7 Johnson of South Carolina were married in  
8 Missouri...

9 MR. ROBINS:

10 Yes.

11 THE COURT:

12 ...January 16 of '08.

13 MR. ROBINS:

14 The child is the child of the marriage. So  
15 the child, regardless if he's my biological  
16 child or not, he's the child of marriage.

17 THE COURT:

18 He's not your biological child?

19 MR. ROBINS:

20 I'm not going to answer that at this time.

21 THE COURT:

22 Well, is there a challenge to paternity?

23 MR. ROBINS:

24 No.

25 MS. TULL:



1 No, he acknowledged paternity.

2 MR. ROBINS:

3 I acknowledged that he is my son through  
4 marriage.

5 THE COURT:

6 Well, Mr. Robins, why don't you tell me what  
7 you do as a self-employed individual?

8 MR. ROBINS:

9 Well, when I do have time to work from  
10 watching my son, I do all types of work,  
11 carpentry, plumbing, electrical, automotive,  
12 work on people's...

13 THE COURT:

14 Well, what do you do mostly, carpentry,  
15 plumbing, what?

16 MR. ROBINS:

17 I don't do anything mostly. I work, you know,  
18 there's no one field that I make basically...

19 THE COURT:

20 All right. Now let's take him as a carpenter  
21 and...

22 MR. ROBINS:

23 Okay.

24 THE COURT:

25 ...attribute an earning capacity to him.

1 MR. ROBINS:

2 And...

3 THE COURT:

4 Hourly average wage is \$20.99. You're 43.

5 You've been doing this for a while?

6 MR. ROBINS:

7 Yeah, but it's not -- but like I said, you're

8 putting me down as a carpenter. I don't --

9 since I do a lot of things I don't make that

10 type of money.

11 THE COURT:

12 I know. Well...

13 MR. ROBINS:

14 I know.

15 THE COURT:

16 ...you do electrical too. Shall I take you as

17 an electrician, that's 29.19?

18 MR. ROBINS:

19 But I don't -- I wish I made that kind of

20 money. I really do. I don't...

21 THE COURT:

22 All right. Take him at \$20 an hour.

23 MR. ROBINS:

24 Okay. Even though I don't make -- I'm putting

25 it on the record, I do not make that amount of

Diaz Data Services

331 Schuylkill Street, Harrisburg, PA 17110 ~ 717-233-6664

1 money.

2 THE COURT:

3 Okay. But you haven't -- you didn't bring any  
4 proof of income...

5 MR. ROBINS:

6 Okay.

7 THE COURT:

8 ...and you're not telling us what you do make  
9 so we've got to use something.

10 MR. ROBINS:

11 Okay.

12 THE COURT:

13 So we're going to calculate your income based  
14 upon \$20 an hour.

15 MR. ROBINS:

16 And I'd like to know, since I take care of him  
17 half the time, what -- why, you know...

18 THE COURT:

19 Do you have any Custody Order?

20 MR. ROBINS:

21 We don't have a Custody Order yet. I filed  
22 for custody and -- in February because I filed  
23 because I've been trying -- I've got letters  
24 from the medical center, but I have been  
25 taking care of him...

1 THE COURT:

2 Yeah. Well...

3 MR. ROBINS:

4 ...since...

5 THE COURT:

6 ...I tell you, if you were taking care of him  
7 then Lucille Freeman wouldn't have him on  
8 welfare.

9 MR. ROBINS:

10 Well, yeah, see they have him on welfare so  
11 they can sit on their butt and collect a  
12 check. Me and -- myself and the mother takes  
13 care of the child, not Lucille. And Lucille  
14 collects the money. If -- I mean can we call  
15 them and so that they can -- because they  
16 really didn't want to come to Court and answer  
17 some of the boldface lies they've been  
18 telling. Can we -- is -- because I know their  
19 phone, their home phone number. We can put  
20 them on record too.

21 THE COURT:

22 I'm not going to do that...

23 MR. ROBINS:

24 Okay.

25 THE COURT:

1                   ...but if you don't -- if you're dissatisfied  
2                   with my recommendation and you'd like...

3       MR. ROBINS:

4                   I'm going to appeal.

5       THE COURT:

6                   ...to take an appeal.

7       MR. ROBINS:

8                   I'm going to appeal.

9       THE COURT:

10                  You can...

11       MR. ROBINS:

12                  And then I might just sue the county for  
13                  depriving me of my parental rights and giving  
14                  it to the grandmother because I can't put him  
15                  -- I've been trying to put my son on health  
16                  care and I can't. They refuse to let me put  
17                  him on health care because she has him on  
18                  health care.

19       THE COURT:

20                  Do you have a tax return with you?

21       MR. ROBINS:

22                  No.

23       THE COURT:

24                  Do you pay taxes?

25       MR. ROBINS:

1 I have not paid -- I paid taxes. No, I didn't  
2 pay taxes. I got a little return.

3 THE COURT:

4 Okay.

5 MS. TULL:

6 We can make part of your Order that the  
7 Defendant is to add the child to his medical  
8 insurance. That's a Court Order. That'll be  
9 enough to get the child added to his medical  
10 insurance.

11 MR. ROBINS:

12 Yeah, because I've got...

13 MS. TULL:

14 Taxpayers shouldn't be paying for it anyway.

15 MR. ROBINS:

16 ...a letter from this -- just to let you know,  
17 I've got a -- I got the vaccination where I'll  
18 be taking...

19 THE COURT:

20 I'm taking him at 34. He says he doesn't pay  
21 taxes, so I'll take him at 3466.

22 MS. TULL:

23 Okay. I took him at, I think more or less...

24 THE COURT:

25 Yeah.

1 MS. TULL:

2 ...because I took off 20.

3 THE COURT:

4 You took him at less...

5 MS. TULL:

6 Yeah.

7 THE COURT:

8 ...because you took off for taxes.

9 MS. TULL:

10 Yeah.

11 THE COURT:

12 But he says he doesn't pay them so it'd be 785  
13 a month.

14 MR. ROBINS:

15 And here's a letter that the benefits director  
16 at the health center wrote up for me saying  
17 that I've been trying to get health insurance  
18 since he's been born and I -- and every single  
19 time I try, you know, he has been on it.

20 THE COURT:

21 What's the effective date you're seeking?

22 MS. TULL:

23 She filed the complaint September 24, '08.

24 MR. ROBINS:

25 No, but what she did before -- she filed

1 before when my wife and my son we were living  
2 together, she filed. She had filed before and  
3 my wife and I had to call the worker, M. Ward  
4 and tell him no, the child is not living with  
5 her. And M. Ward was supposed to take -- this  
6 was back in summer and -- because she had  
7 filed before. He -- she was -- she had filed  
8 a case with him before in the summer and he  
9 took her off. Then he allowed her to file  
10 again in September. I don't understand how  
11 when he found out that she had fraudulently  
12 filed him in the summer that he was -- that  
13 she was allowed to file him again.

14 MS. TULL:

15 What happened at the pre-contempt conference  
16 they held this morning?

17 MR. ROBINS:

18 The who? The what?

19 MS. TULL:

20 The conference that was at 11:30 for your non-  
21 payment.

22 MR. ROBINS:

23 We didn't have -- we had a conference? Where?

24 MS. TULL:

25 I don't know. There was supposed to be a



1 conference at 11:30 today because you haven't  
2 made a payment on this Order. It's an Interim  
3 Order that was entered.

4 COURT CLERK:

5 He didn't go.

6 THE COURT:

7 What was the Interim Order amount?

8 MS. TULL:

9 The Interim Order was \$137 a month.

10 THE COURT:

11 Okay. Well, this is going to be 765 a month.

12 What's the child's name?

13 MR. ROBINS:

14 Johnathan Robins, Jr.

15 THE COURT:

16 All right. And you spell Johnathan in an odd

17 way, right? Would you spell it for me?

18 MR. ROBINS:

19 J-o-h-n-a-t-h-a-n.

20 THE COURT:

21 J-o-n...

22 MR. ROBINS:

23 J-o-h-n...

24 THE COURT:

25 J-o-h-n...

1 MR. ROBINS:

2 ...t-h-a-n. Last name Robins, R-o-b-i-n-s.

3 THE COURT:

4 We have J-o-h-n-a-t-h-a-n. Is that incorrect?

5 MR. ROBINS:

6 Yeah, J-o-h-n-a-t-h-a-n.

7 THE COURT:

8 Okay. Is there one b in Robins?

9 MR. ROBINS:

10 Yes.

11 THE COURT:

12 All right. And his date of birth is 2/20/08.

13 I am directing you to pick him up on your  
14 medical insurance. That will work as a Court  
15 Order so that will require your carrier to  
16 pick up the child outside the open enrollment  
17 period and should alleviate any issues that  
18 you were having about medical insurance.

19 MR. ROBINS:

20 Okay.

21 THE COURT:

22 I'll put \$76 on for arrears.

23 MR. ROBINS:

24 And the Order you just gave, I -- like I said,  
25 I can't pay it because I don't work because I

1 actually take care of my son. So it's like --  
2 because really that's why I'm filing for full  
3 custody because they play games. Like last  
4 week, a couple of week -- I picked him up  
5 Monday like I'm supposed to, she like oh, take  
6 him for the whole week. I need a...

7 THE COURT:

8 Okay. It's 765 a month with \$76 a month on  
9 for arrears, a total of 841 a month. You have  
10 20 days from today's date to appeal.

11 MR. ROBINS:

12 Okay.

13 THE COURT:

14 If you want to appeal, you must do so...

15 MR. ROBINS:

16 And also on top of that I might as well sue  
17 them and find out how in the world they did  
18 what they did.

19 THE COURT:

20 All right.

21 MR. ROBINS:

22 This boy here has spent more Court time and  
23 money, but they're screwing me over.

24 COURT CLERK:

25 All right. Mr. Robins, come along with me.

1

\*\*\*

2

[End of Proceeding]

3

Diaz Data Services.

331 Schuylkill Street, Harrisburg, PA 17110 ~ 717-233-6664

C E R T I F I C A T E

I, Francis J. Dujmic, hereby certify that the proceedings and evidence are contained fully and accurately on multi-track recording; that the recording was reduced to typewriting by my direction; and that this is a correct transcript of the same.

Francis J. Dujmic, Administrator  
Court Reporters

DIAZ DATA SERVICES, hereby certifies that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings in the Court of Common Pleas of Delaware County, Pennsylvania, in the matter of:

LUCILLE FREEMAN

vs.

JOHNATHAN ROBINS

# 08-02157

BY:

Janet M. Wilson

Digitally signed by Janet M. Wilson  
DN: cn=Janet M. Wilson, o=US, o=DiazDataServices,  
email=info@diazdata.com  
Date: 2009.10.01 16:33:06 -04'00'

Janet M. Wilson  
Transcriber for  
Diaz Data Services

The foregoing record of the proceedings upon the hearing of the above cause is hereby approved and directed to be filed.

Judge